

NOTICE OF ERROR
REPLY

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: September 29, 2006

Water right number: 73-12059

NORTHWEST FIDELITY TRUST

PO BOX 133

MAY ID 83253

Telephone Number: (208)726-2874

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

Quantity - period of use - Beneficial use.

2. Describe the changes you wish to make in the proposed recommendation:

*we only need the water from 4-1 to 11-15
we would like to change the beneficial use from
140 Acres to 225 Acres. All 225 Acres have been
irrigated for several decades with the existing ditches.*

3. Give a brief explanation as to why you disagree with these portions:

*The property is 100% flood irrigated and the
soil is rock. The pivots of diversion are 3/4 mile
from the top of the property. - Therefore we do not get enough*

☒ I AGREE with this proposed recommendation: no changes need to be made. water as it is.

DATE: 9/27/06

SIGNATURE: James E Cain

Please print your name: JAMES CAIN Trustee

IDWR Regional Office, 322 E Front St
PO Box 83720, Boise, ID 83720-0098, 2082874800

** we would like to meet with a field
man from the IDWR before any final
decisions are made. Thank you.*

*Please see attached map - The yellow is
where the beneficial use is. The pink
shades is what has historically not been
irrigated.*

RECEIVED

08/31/2006 1 2006

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

DEPARTMENT OF
WATER RESOURCES

RIGHT NUMBER: 73-12059

NAME AND ADDRESS: NORTHWEST FIDELITY TRUST
PO BOX 133
MAY ID 83253

SOURCE: BIG CREEK

TRIBUTARY: PAHSIMEROI RIVER

QUANTITY: 0.820 CFS

PRIORITY DATE: 12/07/1905

POINT OF DIVERSION:

T13N R24E S18 SESESW Within CUSTER County

T13N R24E S18 SWSESE Within LEMHI County

T13N R24E S18 SESESE Within LEMHI County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/01 10/31

0.820 CFS

PLACE OF USE: IRRIGATION Within LEMHI County

T13N R23E S12	SWSE	28.00	T13N R23E S13	NENE	16.00
T13N R23E S13	NWNE	31.00	T13N R23E S13	SWNE	6.70
T13N R23E S13	SENE	34.00	T13N R23E S13	NESE	4.30
T13N R24E S18 Lot 2 SWNW		10.00	T13N R24E S18 Lot 3 NWSW		11.00

141 ACRES TOTAL

Not correct - should be 225

Right Nos. 73-12050, 73-12056 and 73-12059 are limited to the irrigation of a combined total of 141 acres in a single irrigation season.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

This right is a split from former right 73-196 .



208-726-4005 FAX 208-726-6278
111 4th STREET · P.O. Box 5618 · KETCHUM, IDAHO 83340

RECEIVED

OCT 31 2005

DEPARTMENT OF
WATER RESOURCES

FAX COVER SHEET

FAX NUMBER:

DATE:

TO: Danni Smith

FROM: Mark Brown (Jim Cain – Northwest Fidelity Trust)

SUBJECT: Water Rights information

MESSAGE: Dear Danni:

Please find attached all of the water rights information on Northwest Fidelity Trust on Big Creek in the Pahsimeroi Valley.

I apologize for the delay however as I mentioned on the telephone the other day, Roxanne inadvertently mail part of our information to Kent Foster in Idaho Falls. I met with Roxanne in May and she told me what happened and she mentioned she would e-mail the proper documents and through her travel and spending less time with the IDWR she forgot. I finally received the information from Kent Foster and now all of the documents are completed and attached.

I am sorry for the delay. If you need to verify the details, please get in touch with Roxanne. I do appreciate your assistance and I look forward to meeting you next time I am in Boise.

If you have any questions please feel free to contact me on behalf of the Trust.
208 726 4005.

Thanking you in advance.

Sincerely P.S. I also attached two high water rights request suggested by Roxanne, one for the Trust and one for Robert Dreyer. We are on the exact same diversions on the original ranch which was split years ago.

Mark Brown



Idaho Department of Water Resources

OCT 31 2006

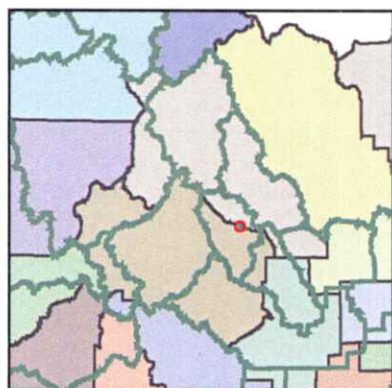
SRBA Recommendation:

73-12050, 73-12056,
73-12059

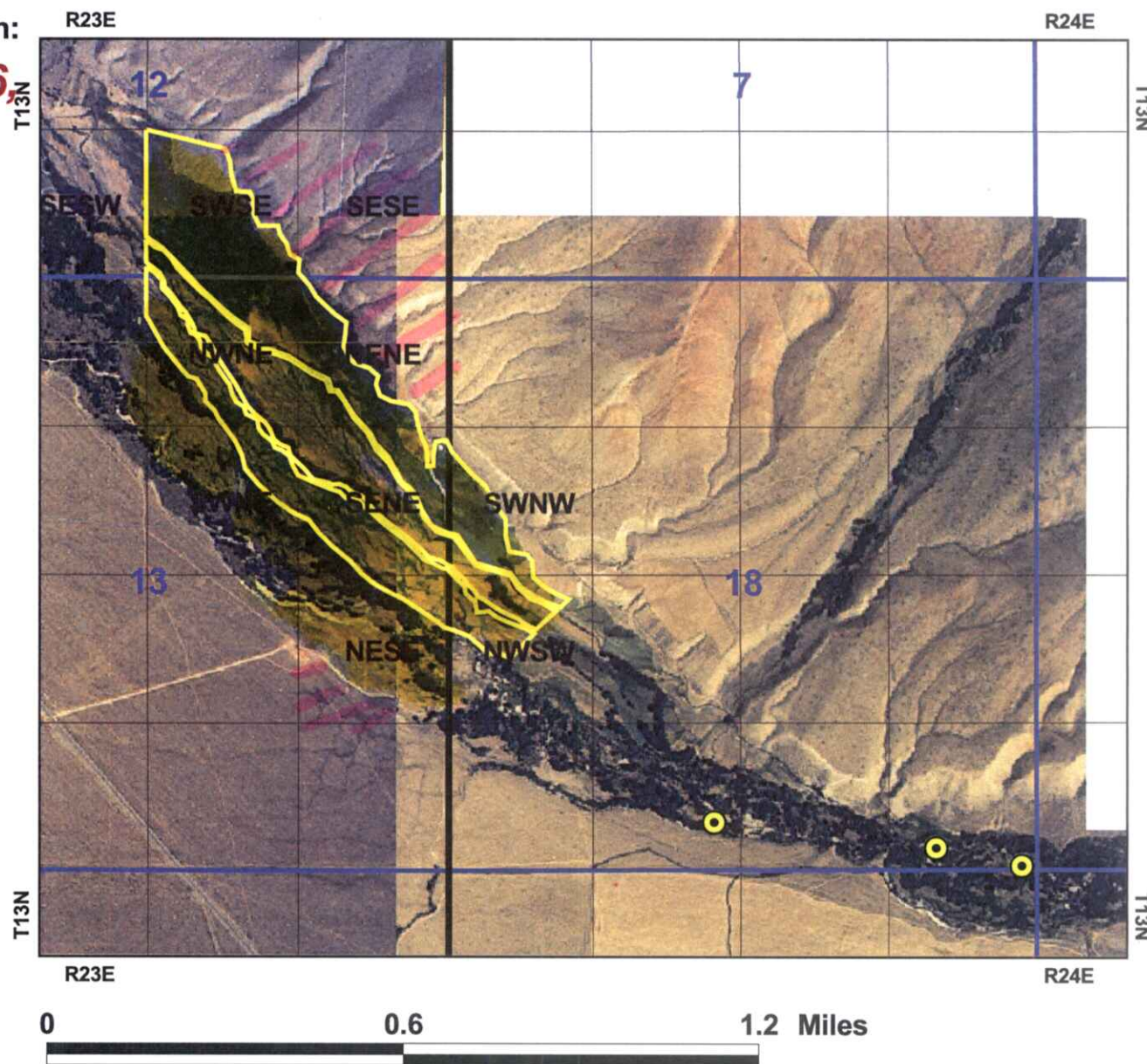
+ 162

Legend

-  Point of Diversion
-  Place of Use
-  Townships
-  PLS Sections
-  Quarter Quarters



Lemhi, Custer Counties
IDWR Basin 73



Prepared by R. Brown
On Tuesday, August 29, 2006
1987/88 Aerial Photography